

Scianni, Melissa

From: Brush, Jason
Sent: Thursday, March 19, 2015 5:10 PM
To: Skadowski, Suzanne; Keener, Bill; Diamond, Jane; Zito, Kelly; Woo, Nancy; Leidy, Robert; Scianni, Melissa
Cc: Kao, Jessica; Maier, Brent; Rao, Kate; Kermish, Laurie
Subject: RE: Question from Congresswoman Eshoo's Paul Beck on EPA Letter to U.S. Army Corps of Engineers Regarding Clean Water Act Jurisdictional Determination on Cargill Redwood City Salt Plant

Suggestions which may get at Bill's concern:

From: Skadowski, Suzanne
Sent: Thursday, March 19, 2015 4:28 PM
To: Keener, Bill; Brush, Jason; Diamond, Jane; Zito, Kelly; Woo, Nancy; Leidy, Robert; Scianni, Melissa
Cc: Kao, Jessica; Maier, Brent; Rao, Kate; Kermish, Laurie
Subject: RE: Question from Congresswoman Eshoo's Paul Beck on EPA Letter to U.S. Army Corps of Engineers Regarding Clean Water Act Jurisdictional Determination on Cargill Redwood City Salt Plant

Proposed response to Cong. Eshoo staff (per Jessica and Laurie):



Suzanne Skadowski
Public Affairs Specialist
U.S. Environmental Protection Agency | San Francisco
D: 415-972-3165 | C: 415-265-2863 | E: skadowski.suzanne@epa.gov

From: Keener, Bill
Sent: Thursday, March 19, 2015 1:59 PM
To: Kao, Jessica; Brush, Jason; Maier, Brent; Diamond, Jane; Zito, Kelly; Woo, Nancy; Leidy, Robert; Scianni, Melissa; Rao, Kate
Cc: Skadowski, Suzanne
Subject: RE: Question from Congresswoman Eshoo's Paul Beck on EPA Letter to U.S. Army Corps of Engineers Regarding Clean Water Act Jurisdictional Determination on Cargill Redwood City Salt Plant

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Bill Keener

Office of Public Affairs
U.S. EPA - Region 9
San Francisco, CA
Phone: (415) 972-3940

From: Kao, Jessica

Sent: Thursday, March 19, 2015 1:39 PM

To: Brush, Jason; Keener, Bill; Maier, Brent; Diamond, Jane; Zito, Kelly; Woo, Nancy; Leidy, Robert; Scianni, Melissa; Rao, Kate

Subject: RE: Question from Congresswoman Eshoo's Paul Beck on EPA Letter to U.S. Army Corps of Engineers Regarding Clean Water Act Jurisdictional Determination on Cargill Redwood City Salt Plant

EPA's special case action means EPA will be the lead agency for making Clean Water Act jurisdictional determination for this site. The Corps administers the Rivers and Harbors Act and has an independent authority to make jurisdictional determinations under that statute. It is our understanding that the Corps intends to do so.

*Jessica Kao
Chief of Staff, Office of the Regional Administrator
USEPA, Pacific Southwest Region
75 Hawthorne Street
San Francisco, CA 94104
Dir: 415-972-3922*

From: Brush, Jason

Sent: Thursday, March 19, 2015 12:54 PM

To: Keener, Bill; Maier, Brent; Diamond, Jane; Kao, Jessica; Zito, Kelly; Woo, Nancy; Leidy, Robert; Scianni, Melissa; Rao, Kate

Subject: Re: Question from Congresswoman Eshoo's Paul Beck on EPA Letter to U.S. Army Corps of Engineers Regarding Clean Water Act Jurisdictional Determination on Cargill Redwood City Salt Plant

The Corps must speak for the government on what the 1899 Rivers and Harbors Act covers. EPA has elected to take the lead for Clean Water Act decisions on this site, and fully intends to continue our close coordination with the Corps as the agencies move their decisions to conclusion.

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

From: Keener,
Bill

Sent:
Thursday,

March 19, 2015

12:07 PM

To: Maier,
Brent;
Diamond, Jane;
Kao, Jessica;
Zito, Kelly;
Woo, Nancy;
Brush, Jason;
Leidy, Robert;
Scianni,
Melissa; Rao,
Kate

Subject: RE:
Question from
Congresswoman
Eshoo's Paul
Beck on EPA
Letter to U.S.
Army Corps of
Engineers
Regarding Clean
Water Act
Jurisdictional
Determination
on Cargill
Redwood City
Salt Plant

Brent, we have a new desk statement worked out with HQ, and that will have an approximate time frame given. I think we will need to craft an answer about what the Corps is still planning to do – issue an JD based on the Rivers & harbors Act, so there is not a total automatic suspension of all Corps activities on this – but it is as far as the CWA determination. How do we say this...?

Bill Keener

Office of Public Affairs
U.S. EPA - Region 9
San Francisco, CA
Phone: (415) 972-3940

From: Maier, Brent

Sent: Thursday, March 19, 2015 12:01 PM

To: Diamond, Jane; Kao, Jessica; Zito, Kelly; Keener, Bill; Woo, Nancy; Brush, Jason; Leidy, Robert; Scianni, Melissa; Rao, Kate

Subject: Question from Congresswoman Eshoo's Paul Beck on EPA Letter to U.S. Army Corps of Engineers Regarding Clean Water Act Jurisdictional Determination on Cargill Redwood City Salt Plant

Importance: High

Please see the question I received from Paul Beck in Rep. Eshoo's office. Please let me know how you think it is best to respond to Paul's inquiry. Not sure what we can say about an approximate timeline, but please let me know. Thanks.

Brent Maier
Congressional Liaison

U.S. Environmental Protection Agency, Region IX
75 Hawthorne St. (OPA-3)
San Francisco, CA 94105
Ph: 415.947.4256

From: Beck, Paul [<mailto:Paul.Beck@mail.house.gov>]

Sent: Thursday, March 19, 2015 11:47 AM

To: Maier, Brent

Subject: RE: U.S. EPA Letter to U.S. Army Corps of Engineers Regarding Clean Water Act Jurisdictional Determination on Cargill Redwood City Salt Plant

Hi Brent, I just tried to call you but am going to be traveling this afternoon so will be away from my phone for the rest of the weekend. Can you just tell me, does this letter automatically suspend the Army Corps' ongoing jurisdictional determination process and bring it instead under the EPA's purview? If so, do you have any sense of the approximate timeframe for this kind of determination?

Thanks,
Paul

Paul Beck | Legislative Assistant/Counsel | Rep. Anna G. Eshoo (CA-18) | 241 Cannon | 202.225.8104

From: Maier, Brent [<mailto:Maier.Brent@epa.gov>]

Sent: Thursday, March 19, 2015 12:04 PM

To: Miller, Ben; Gurewitz, Heather; Callaway, Jenny; Ferree, Logan; Olhausen, Matt; Crowell, Piper; Najera, Alesandra; Minto, Brandon; Thomson, Brandon; Austin, Chris; Lathbury, Donald; Crow, Elizabeth; Fairclough, Elly; Durst, Garrett; Klever, Jeannie; Onorato, Brad; Badmington, Casey; Diehm, Cheryl; Orpilla, Mel; Rhinehart, Melanie; Arnold Marr, Betsy; Struthers, Emlyn; Goldsmith, Remy; Jackson, Sarah; Scales, Shanelle; Ursino, Adrienne; Taylor, Anne; Foard, Colin; Goodman, Kaitlyn; Andrews, Sandra; Paull, Alana; Perkins, Brian (Speier); Goldstein, Miriam; Ginsburg, Andrew; Greven, Cheri; Huber, Joshua; Warren, Samantha; Rafah, Ahmad; Hyde, Cathy Ming; Tan, Edwin; Werwa, Eric; VanderHeide, Jennifer; Padilla, Christine; Chapman, Karen; Beck, Paul; Branson, Michael; Soto, Sandra; Leavandosky, Stacey; Hull, ZJ; Arago, Alec; Merrill, Debbie; Dornatt, Rochelle; Phillips, Troy; Rafah, Ahmad; Hyde, Cathy Ming; Tan, Edwin; Werwa, Eric; VanderHeide, Jennifer; Bernal, Dan; Tecklenburg, Michael

Cc: Skadowski, Suzanne; Keener, Bill; Zito, Kelly; Kaiser, Sven-Erik; Borum, Denis; Bowles, Jack; Hannon, Arnita; Rupp, Mark; Distefano, Nichole; Vaught, Laura

Subject: U.S. EPA Letter to U.S. Army Corps of Engineers Regarding Clean Water Act Jurisdictional Determination on Cargill Redwood City Salt Plant

Dear Colleagues,

Attached please find a letter from the U.S. EPA Region 9 to the U.S. Army Corps of Engineers regarding the Clean Water Act jurisdictional determination for the Cargill Redwood City Salt Plant property.

Please give me a call if you have any questions or need any additional information.

Regards,

Brent Maier
Congressional Liaison

U.S. Environmental Protection Agency, Region IX
75 Hawthorne St. (OPA-3)
San Francisco, CA 94105
Ph: 415.947.4256